

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tuller, Jeffrey Todd ; Barnes, Neal Patrick ; and Mackert, Ross Austin

Application No.: Filed Herewith
Filed: Filed Herewith
For: ABDOMINAL EXERCISE MACHINE

Group No.:
Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT
CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))

With respect to the invention described in the specification filed herewith.

I. IDENTIFICATION AND RIGHTS AS A SMALL ENTITY

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Guthy-Renker Corporation
3340 Ocean Park Boulevard, Suite 3055
Santa Monica, California 90405

and that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

II. OWNERSHIP OF INVENTION

I hereby state that rights under contract or law remain with and/or have been conveyed to the above identified organization

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held (1) by any person who could

not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

No such person, concern, or organization exists.

III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed..

V. SIGNATURES

Ben Van de Bunt, Esq
3340 Ocean Park Boulevard, Suite 3055
Santa Monica, CA 90405

SIGNATURE

B. Van de Bunt

DATE

5/29/01